THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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DATED: 14-11-2005

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WRIT PETITION No.24284 OF 2005

Between:

Dr. K.Ramakumar . . .Petitioner

And

Medical Council of India and others . . .Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.24284 OF 2005

O R D E R:

The petitioner challenges an order, dated 01-11-2004, through which, the Medical Council of India erased the name of the petitioner from Indian Medical Register, temporarily from 01-11-2004 to 31-07-2007. The basis for this action was that the petitioner had issued declaration forms to the effect that he is working as Professor in as many as four medical colleges at one and the same

time. Show cause notice was issued, enquiry was conducted and the impugned order, dated 01-11-2004, was passed taking the said action.

Learned counsel for the petitioner submits that there is no provision in the Medical Council of India Act, which debars a Medical Practitioner registered with the Medical Council of India, from working in more colleges than one. He placed reliance upon a judgment, dated 05-04-2005, rendered by a Division Bench of this Court in Writ Appeal No.2107 of 2004 and batch.

Learned Standing Counsel for the Medical Council of India fairly submits that the subject matter of the present writ petition is covered by the judgment referred to above.

The Division Bench of this Court took the view that the Medical Council of India cannot erase the names from the register on the ground that the individual concerned worked as Professor or in other capacities at more places than one.

Following the same, the writ petition is allowed and the impugned order is set aside. There shall be no order as to costs.

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(L.NARASIMHA REDDY, J)

14th NOVEMBER, 2005.

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